

DOCKET NO: 282532US8X

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
DAVID W. TREPESSE, ET AL. : EXAMINER: C. L. DAYE
SERIAL NO: 10/723,086 :
FILED: NOVEMBER 25, 2003 : GROUP ART UNIT: 2161
FOR: INFORMATION STORAGE AND :
RETRIEVAL

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the Notice to Non-Compliant Amendment (37 CFR 1.121) dated March 6, 2009, Applicants respectfully request the Notice be withdrawn for the reasons set forth below.

Applicant and Applicant's representatives gratefully acknowledge the courtesy of a telephonic interview with Examiner Daye on March 11, 2009. During the interview, the Examiner notified us that the Notice was sent in error and that there is no problem with the Amendment filed on November 20, 2008. The Examiner indicated that the Notice was intended for a different application and was mistakenly included in this case. Further, the Examiner indicated that it was not necessary to modify the Amendment in this application in any way.

Accordingly, as noted in the Remarks section of the Amendment filed on November 20, 2008, this application is believed to be in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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